

IN SENATE OF THE UNITED STATES.

FEBRUARY 3, 1846.

Submitted, and ordered to be printed.

Mr. JOHNSON, of Louisiana, made the following

REPORT :

[To accompany bill S. No. 17.]

The Committee on Pensions, to whom was referred the petition of Joseph Morrison, report :

That they have examined with attention the claim of the petitioner, with the accompanying papers and documents, and, concurring in the views presented by the Committee on Pensions of the Senate on the 10th of February, 1845, in the same case, adopt the report then made, and which is hereto annexed. The committee, therefore, report a bill for the relief of the petitioner.

IN SENATE OF THE UNITED STATES, February 10, 1845.

Mr. EVANS, from the Committee on Pensions, to whom was referred a bill granting a pension to Joseph Morrison, made the following report :

That the said Morrison was appointed a lieutenant in the army of the United States in April, 1813, and was attached to the 33d regiment of infantry.

In the month of May, 1814, he was detached from his duty in the line of the army, by order of his superior officer, and was ordered for duty as acting lieutenant of marines on board the United States schooner Eagle, on lake Champlain, in command of a detachment of troops, who served as marines in the vessels composing the squadron on that lake.

In the memorable action between the American and British fleets, of 11th September, 1814, and in the victory which the American arms then achieved, Lieutenant Morrison honorably and gallantly participated. He served in his new capacity with zeal, bravery, and distinction. The following extract of a letter, dated September 13, 1814, from Captain White Youngs, of the 15th infantry, who was superior officer commanding the

marines on that occasion, to Commodore McDonough, and by the latter transmitted to the Navy Department, shows the services rendered by Lieutenant Morrison, and also the fact that he was wounded in that brilliant engagement :

"In attempting to do justice to the brave officers and men I have had the honor to command, my feeble abilities fall far short of my wishes. First Lieutenant Morrison, 33d infantry, stationed on board the United States brig Eagle, was wounded, but remained on deck, animating his men by his honorable conduct."

Captain Youngs, who bears this testimony, was a gallant officer, as evinced by a brevet which was conferred upon him for his services on that occasion.

John P. Briggs, who was then surgeon's mate of the same regiment, and also on board the Eagle, certifies, that Lieutenant Morrison "was disabled in consequence of being wounded and ruptured on board said brig ; and that the injury he then received renders him unable to obtain a livelihood by manual labor." The injury was received in the body, by means of a splinter, and appears to have been severe, rendering him unfit for further service in the army, from which he was compelled to retire in February, 1815.

Lieutenant Morrison made application several years ago for a pension, promised by the laws, for this injury. His application was refused at the Navy Department upon the ground that Lieutenant Morrison was not an officer in the navy, but in the army. The language of the Secretary, declining it, is as follows :

"It appears that First Lieutenant Morrison, 33d infantry, was stationed on board the United States brig Eagle, and that he was wounded in the action on lake Champlain, in September, 1814.

"The laws authorize this department to allow pensions to officers, seamen, and marines, *of the navy*, if disabled in the line of duty in the naval service. But officers of the army, though wounded on board ship, are not within the terms of such laws. In such cases, Congress only can afford relief."

Nor could he obtain a pension at the War Department, under the laws granting pensions to invalids in that service, because he was not in the line of his duty *in the army* when the injury was received. He was not under the command of officers of the army, but of the navy ; and the report of his gallantry, good conduct, and injury, was made to the Navy Department, and not to the Secretary of War. The committee consider that Lieutenant Morrison was justly entitled to a pension from the United States, and that he has suffered great hardship in being repelled from both branches of the service, for the reasons which have been suggested. The committee cannot ascertain that an application for a pension was made by Lieutenant Morrison prior to 1835, although there is reason to believe that he claimed it soon after leaving the army ; but the persons who then had charge of his papers are now dead. Governed by the principle which has prevailed in several other cases, the committee recommend that a pension be granted to him, to commence at the time his proof appears to have been made, in 1835, at the rate provided by law for the grade he actually filled at the time the disability was incurred ; and accordingly report the bill for his relief, amended accordingly.

I, Joseph Morrison, of Canaan, Somerset county, Maine, aged fifty-one years, do, upon oath, declare: That in April, 1813, I was appointed a first lieutenant of infantry, and attached to the 33d regiment of the United States, commanded by Colonel Isaac Lane; that I served in said regiment until May 17, 1814, when I was ordered by Captain Densmore, of the same 33d regiment, to proceed to Vergennes village, and go on board the United States schooner in that harbor; that Captain Densmore's order is hereto annexed; that, in compliance with said order, I went on board the United States sloop Preble, on lake Champlain; and, by permission of superior officers, volunteered as an acting lieutenant of marines, and continued in the service of the United States, on board different vessels on the lake, until August, 1814, when I was transferred to the United States brig Eagle, on board of which vessel I continued to serve, as acting lieutenant of marines, and was serving as such at the time of the action on lake Champlain, with the British fleet, on the eleventh day of September, 1814; in which action, on said day, while serving as acting lieutenant of marines on board the United States brig Eagle, on lake Champlain, under the command of Captain Hendley, in the service of the United States, and while in the line of my duty, I was wounded by a splinter striking me in such a way as to produce a rupture, and render me unfit for duty; that I then rejoined my regiment (33d regiment United States infantry) at Plattsburg, where I remained unfit for duty, in consequence of said wound, for some time; and in February, 1815, I received my discharge from the service of the United States, and have ever since remained unable to obtain a livelihood by manual labor. I hereunto annex the certificate of Dr. John P. Briggs, late surgeon's mate 33d regiment United States infantry, as aforesaid, in support of my claim to a pension. Captain Hendley is dead, as I believe, and I know of no officer under whom I served on board the brig Eagle, as aforesaid, who is now living, excepting Captain Joseph Smith, of the United States navy. The said Dr. Briggs is now dead.

JOSEPH MORRISON.

STATE OF MAINE, *Kennebec*, ss:

Be it remembered, that on this 10th day of February, 1838, the within named Joseph Morrison personally appeared before me, William Woart, jr., a notary public for said county, and also a justice of the peace for the same county, and made oath to the truth of the within declaration by him subscribed. Witness my notarial seal, and my hand, the day and year aforesaid.

WILLIAM WOART, JR.,
Notary Public and Justice of the Peace.

ON BOARD THE UNITED STATES SHIP SARATOGA,
May 17, 1814.

LIEUTENANT JOSEPH MORRISON: You will take with you Ensign George Dunham, Sergeant Tibbets, Corporal Cornish, and Corporal Glines, and twenty-five privates, (namely: your own detachment, except two,) who have been some acquainted with seamanship, and take two from this ship, and take five out of Lieutenant Woodman's detachment,

which will make, with yourself, 2 commissioned officers, 1 sergeant, 2 corporals, and 25 privates—30 in the whole. With these you will proceed to Vergennes village, and go on board the United States schooner in that harbor.

THOMAS DENSMORE,
Captain 33d Infantry.

" I, John P. Briggs, late surgeon's mate of the late thirty-third regiment United States infantry, hereby certify, that Joseph Morrison, of the aforesaid regiment, was acting lieutenant of marines on board the United States brig Eagle, on lake Champlain, in the action with the British fleet on the eleventh of September, A. D. 1814; and that he was, previous to that time, a sound, healthy man; that, when I met him immediately after the action, he was disabled, in consequence of being wounded and ruptured on board said brig; and that the injury he there received renders him unable to obtain a livelihood by manual labor.

JOHN P. BRIGGS,
Late Surgeon's Mate 33d Infantry.

PORTLAND, June 10, 1835.

P. S.—You will find a correct statement of these facts in the letter of Captain Youngs to Commodore McDonough, in the Naval Monument.